

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**REYNALDO GAMBOA,
#84977**

Plaintiff,

vs.
E.K. McDANIELS,

Defendant.

3:10-cv-00724-LRH-RAM

ORDER

E.K. McDANIELS,

This is a prisoner civil rights action. Plaintiff has failed to submit an application to proceed *in forma pauperis* or submit the filing fee. See 28 U.S.C. § 1915(a)(1)-(2); Local Rules of Special Proceedings 1-1, 1-2.

18 Plaintiff is incarcerated at Ely State Prison (“ESP”) and has sued Warden E.K. McDaniel.
19 Plaintiff’s complaint is difficult to decipher, but he appears to allege that he has been unconstitutionally
20 deprived of certain credits toward completing his sentence. The court notes that plaintiff’s allegations
21 in this action directly relate to his claims in 3:10-cv-00217-RCJ-RAM, in which his complaint was
22 dismissed with leave to file an amended complaint (*see* docket #15).

23 Accordingly, notwithstanding plaintiff's failure to file an application to proceed *in forma*
24 *pauperis*, this action is dismissed as duplicative. If plaintiff files an amended complaint in 3:10-cv-
25 00217-RCJ-RAM, he must include all of his claims related to the alleged deprivation of credits.
26 Plaintiff is cautioned that any further separate actions he attempts to file alleging any related claims will
27 be dismissed.

IT IS THEREFORE ORDERED that the Clerk of Court shall detach and **FILE** the

1 complaint (docket #1-1).

2 **IT IS FURTHER ORDERED** that this action is **DISMISSED** with prejudice.

3 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in
4 GAMBOA V. MCDANIEL, 3:10-cv-00217-RCJ-RAM.

5 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close this
6 case.

7 DATED this 24th day of November, 2010.



10 _____
11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28